HON'BLE SRI JUSITCE GODA RAGHURAM

WRIT PETITON No.8476 of 2006

Dated 9-10-2006

Between:

Nagidi Rajamma, Vijayawada, Krishna District.

……Petitioner

and

The Commissioner of Police, Vijayawada City, Krishna District and others.

…..Respondents

HON'BLE SRI JUSITCE GODA RAGHURAM

WRIT PETITON No.8476 of 2006

ORDER:

This writ petition is filed alleging that the failure of the respondent 1 and 2 in not registering and taking action on the petitioner's compliant dated 28-3-2006 addressed to the 2nd respondent and the complaint dated 31-3-2006 to first respondent, is illegal and for direction to the said respondents to take immediate action against the respondents 3 and 4 on the basis of his compliant.

The 2nd respondent has filed a counter affidavit stating that the petitioner has submitted complaint to the 1st respondent against the 4th respondent and his associates, on 20-12-2005 alleging *inter alia* that the 4th respondent with a view to grab the petitioner's house had put pressure on him and on 19-12-2005, at about 10.30 P.M., his son Nageswara Rao was confined by the 4th respondent and his associates, got his son's signatures

on four promissory notes, and later they made him to ring up his mother i.e., the petitioner's wife and that they were scared and petitioner's wife was made to sign on Rs.100/- non-judicial stamp paper and two blank papers and thereafter, they were released and again on 20-12-2005, at about 9 A.M., 4th respondent with his associates came to the house threatened them with dire consequences and forced them to vacate the house within 48 hours. The answering respondents further stated that the case in Crime No.259 of 2006 under Section 341 and 380 IPC was registered on 5-5-2006 and the matter was investigated; 13 witnesses were examined and their statements were recorded. After the completion of the investigation, the case of the petitioner was treated as false and final report is shortly being filed. The petitioner does not rebut the assertions in the counter affidavit. It is therefore clear that the petitioner's complaint has been registered as Crime No.259 of 2006 though belatedly.

In the aforesaid circumstances, no case is made out for interference in this petition.

The writ petition is accordingly dismissed.

9th October 2006

mrb